Ministry of Justice
Public Disclosure Committee

Annual Report for 2015-16

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Letters of Transmittal

The Honourable
Christine Tell
Minister Responsible for
Corrections and Policing

Her Honour, the Honourable Vaughn Solomon Schofield,
Lieutenant Governor of Saskatchewan

May it Please Your Honour:

The undersigned, pursuant to section 12 of *The Public Disclosure Act*, is pleased to present the Public Disclosure Committee Annual Report for the period of April 1, 2015 to March 31, 2016 which was submitted to me by the Public Disclosure Committee.

Christine Tell
Minister Responsible for Corrections and Policing

The Honourable
Gordon S. Wyant, Q.C.
Minister of Justice and
Attorney General

Her Honour, the Honourable Vaughn Solomon Schofield,
Lieutenant Governor of Saskatchewan

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Gordon S. Wyant, Q.C.
Minister of Justice and Attorney General

Dale McFee
Deputy Minister of
Corrections and Policing

Honourable Gordon Wyant, Q.C.
Minister of Justice and Attorney General

Honourable Christine Tell
Minister Responsible for Corrections and Policing

Dear Sir/Madam:

The undersigned, pursuant to section 12 of *The Public Disclosure Act*, is pleased to present the Public Disclosure Committee Annual Report for the period of April 1, 2015 to March 31, 2016 which was submitted to me by the Public Disclosure Committee.

Dale McFee
Deputy Minister of Corrections and Policing

Public Disclosure Committee

Committee Staff and Office Address

Terry Quinn, Administrator for the Public Disclosure Committee

The Committee maintains an office at:

1850 – 1881 Scarth Street
REGINA SK S4P 4K9

The Committee may also be contacted by:

Telephone: (306) 798-3383
Facsimile: (306) 787-8084

Role of the Committee

The public has concerns about high-risk offenders who have been released into communities after serving some or all of their sentences. One response to these concerns is to raise public awareness about a particular individual by providing information about the offender to affected individuals or communities.

The Public Disclosure Act was developed to assist the police in dealing with this important issue. The legislation was proclaimed in force November 15, 1996 and a committee was created to provide non-binding advice to the police about persons who may pose a danger to the community.

On November 15, 1996, a nine-member committee was appointed to serve pursuant to the Act. Committee members represent a broad spectrum of the community. They include senior police officers, psychologists, members of the legal profession, members of the clergy, people who work with victims of crime and those who employ traditional First Nations healing approaches. They are drawn from various communities around the province.

Police may bring applications with respect to persons who have been convicted of one of the offences prescribed in section 3 of the *Regulations*, and who pose a risk of serious harm to persons in a community in Saskatchewan. The scheduled offences include sexual offences against children, sexual assaults, other sexual offences like bestiality and indecent acts, and procuring children into prostitution. They also include serious personal injury offences like robbery, aggravated assault, kidnapping, and trafficking in controlled drugs and substances.

The Committee can recommend disclosure only when the individual poses a significant risk of serious harm to other persons. The disclosure will help avert the risk posed by the individual; the public interest in the disclosure outweighs the privacy interests of the individual. If the release of information is recommended, the Committee will also recommend what information should be released, how it should be released, and to whom.

Decisions of the Committee are carefully considered and are based on the review of information prescribed by the Act. The information reviewed includes risk assessments, criminal records, likely destinations for the individual, descriptions of the offences the individual has committed in the past, and reasons the individual is believed to pose a significant risk of harm to others.

Persons, who are the subject of an application to the Public Disclosure Committee, are advised in advance that an application has been made, and are given an opportunity to make submissions to the Committee in writing or on audio or video tape.

The advice given by the Committee does not bind the police agency making the request. However, police acting in compliance with the advice receive immunity from suit for their good faith actions in so doing.

Committee Services

Within the scope of *The Public Disclosure Act* for the 12-month period ending March 31, 2016, the Committee received two applications and advised disclosure on both applications.

The following table sets out the number of applications received since the Committee's first reporting year and the number of those applications on which disclosure was advised or not advised.

Fiscal Year	Number of Applications Received	Disclosure Advised	Disclosure Not Advised
2015-16	2	2	0
2014-15	4	4	0
2013-14	3	3	0
2012-13	7	7	0
2011-12	7	6	1
2010-11	3	3	0
2009-10	2	2	0
2008-09	3	3	0
2007-08	3	3	0
2006-07	3	2	1
2005-06	5	5	0
2004-05	2	1	1
2003-04	6	5	1
2002-03	4	4	0
2001-02	2	1	1

Committee Activities

Meetings and Training

Pursuant to section 5 of *The Public Disclosure Regulations*, the Committee is required to schedule a minimum of one date per month for the hearing of applications. Additional expedited meetings are held when applications are brought of an urgent nature that cannot be held in abeyance until the regularly scheduled meetings.

From April 1, 2015 to March 31, 2016, the Committee held two expedited and no full committee meetings.

In December 1996, the Committee held its inaugural meeting in Moose Jaw, Saskatchewan. Since that time, Committee members have periodically received training to enhance the knowledge and skills they bring to the process of providing considered, well grounded and appropriate advice to police agencies. They receive training in matters such as orientation to the Act, the roles and responsibilities of the Committee, effective media relations, and tools and techniques to assess both the risk an offender may pose to the public, and the offender's potential to re-offend.

Security

As the Committee will be dealing with some of the most potentially dangerous persons in the province, certain precautions have been taken to protect Committee members from harm. These include, but are not limited to, a specific request made by the Minister of Justice on announcing the legislation that the press not publish the identities of or identifying information about Committee members.

Providing Information to Police Services and the RCMP about the Committee

On November 15, 1996 the Committee provided a package of information to all police services in the province and the RCMP. In January 1997, Committee members and staff provided a half-day presentation to designated police representatives. The sessions were held in Regina and Saskatoon. The presentation was intended to show representatives how to prepare and file applications with the Committee.

Representatives from the RCMP and the municipal police services act as liaison between the Committee and their organizations, ensuring that these agencies are well aware of the application process.

During 2005-06 the Committee Chair and Administrator provided three half-day training presentations for police agencies throughout Saskatchewan. These sessions were held in Regina, Saskatoon and Prince Albert.

Although the Committee has lacked the resources to deliver training for police agencies since 2005-06, the Administrator provides advice, guidance and information to police agencies in the province on an ongoing basis. Police agencies consult with him on the criteria for bringing applications for advice, application procedures, and requirements under the Act and regulations.

Processing the Applications

Of the two applications received in 2015-16, all were granted expedited consideration pursuant to subsection 15(1) of *The Public Disclosure Regulations* to enable the Committee to provide the applicant police agency with its advice prior to the release of the offender into the community whenever possible.

Profiles of offenders that were the subject of applications:

- Two offenders were male.
- At the time of the applications, one offender was 35-45 years of age and one was 45-55 years of age.
- The offenders' ethnic origins were one Caucasian and one Aboriginal.
- The number of previous convictions ranged from five to 50.
- The assessment level of risk in all cases was high.
- The number of previous victims ranged from a minimum of five to numerous.
- The victims of one of the offenders were female.
- The victims of two of the offenders were both male and female.
- The victims of one of the offenders was both children and adults.
- The victim of one of the offenders was a child.
- One offender was 13 when first convicted of a criminal offence.
- One offender was 20 when first convicted of a criminal offence.
- Two of the offenders were held to warrant expiry by CSC officials.
- Two of the offenders were awaiting release into the community at the time of the application.

Committee Budget

The expenses of the Committee totalled $2,517.00 which supported the costs of hearings. Policing and Community Safety Services within Corrections and Policing, of the Ministry of Justice, provided administrative support for the Committee.